

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Kollapur (Mandal) Malleshwaram (Village) – O.P.No.2996/1984 - Sanction of decretal charges of **Rs.12,24,456/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 175

DATE:02.03.2009

Read:

From the Spl.Collector, Bheema Project, LA, Bheema Project, Mahabubnagar Lr.No.E/PJP/101/2008, dated:06.11.2008.

O R D E R:

The Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.2996/2004 pertaining to Malleshwaram (V) Kollapur (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal has informed that the Houses bearing No.1-163A, 1-130A, 1-163, 1-174, 1-165, 1-65A, 1-161 and 1-100B situated in the limits of Maleiswaram (V) Kollapur (M) of Mahabubnagar District were acquired for the purpose of Srisailam Hydro Electric Project and the then Land Acquisition Officer has passed an Award No.153/78, dt:30.12.1978. Not satisfied with the market value fixed by the LAO, the awardees have filed an application U/s.18 of the L.A.Act requesting for a reference. The LAO has filed the reference in the Civil Court and the same was numbered as O.P.No.2996/1984 in Court of Sr.Civil Judge, Wanaparty. The learned Sr.Civil Judge disposed of the O.P along with other cases covered in the common order dt:26.04.1990. Further, he has informed that there is no appeal was filed in this case. Budget proposals were submitted for an amount of Rs.4,23,159/. In this regard, the SDC has informed that due to clerical mistake in the said proposals, the market value fixed by the Court was taken as Rs.1,27,118/- instead of Rs.2,39,494/- as per the decree of the Court. As per the proposals, the Govt.have sanctioned an amount of Rs.4,23,159/- for depositing in the court. After receiving the sanction orders, an amount of Rs.3,94,918/- was deposited in the Court on 25.04.1998, after deducting Rs.26,241/- towards income-tax. The decree holder filed E.P.231/2002 in the Court of Sr.Civil Judge, Wanaparty for realization of the balance decretal amount. The Sr.Civil Judge, Wanaparty issued attachment orders dt:21.11.2008.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.12,24,456/- (Rupees Twelve lakhs twenty four thousand four hundred and fifty six only)** in respect of O.P.No.2996/2004 pertaining to Malleshwaram (V) Kollapur (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration,

(PTO)

Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "2801-01-105-SHES- GH.11 – Normal State Plan – S.H. (26) Dams and Appurtenant works – 530 – Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.777/F2(2)/2009-1, dated 02.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.398/LA.III(A2)/2009

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER